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16 **Attorneys for Defendants, Anhelo, LLC and
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17 **UNITED STATES DISTRICT COURT**

18 **NORTHERN DISTRICT OF CALIFORNIA**

19 **RVC CORPORATION, a Colorado
Corporation and LEGATO
DEVELOPMENT, L.L.C., a Delaware
Limited Liability Company.**

22 Plaintiffs,

23 v.

24 **ANHELO, L.L.C., a Delaware Limited
Liability Company and CERRALVO, L.L.C.,
a Delaware Limited Liability Company and
CERRALVO DESARRODOR, S. de R.L.
de C.V., a Mexican Limited Liability
Company,**

27 Defendants.

21 CASE NO. CV 08 0975 EMC

23 Trial Date: May 18, 2009

25 Complaint Filed: February 15, 2008

26 **STIPULATION AND [PROPOSED] ORDER
DISMISSING ACTION, WITH PREJUDICE**

Now come Plaintiffs, RVC Corporation and Legato Development L.L.C. ("Plaintiffs") and Defendants, Anhelo, L.L.C. and Cerralvo L.L.C. ("Defendants") (Plaintiffs and Defendants collectively referred to as "The Parties") and hereby submit this Joint Stipulation of Dismissal with Prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) to Dismiss all claims within the Plaintiffs' Complaint and the Defendants' Counterclaim with prejudice, thereby dismissing this action in its entirety. Each party shall bear its own costs and attorneys' fees.

This stipulation is made pursuant to the Parties' confidential Settlement and Release Agreement executed and effective December 5, 2008. The Parties further stipulate that this Court shall retain jurisdiction over the Settlement and Release Agreement executed by the Parties as the exclusive venue for resolution of any dispute(s) arising out of or related to such agreement.

SO STIPULATED

DATED: December 10, 2008

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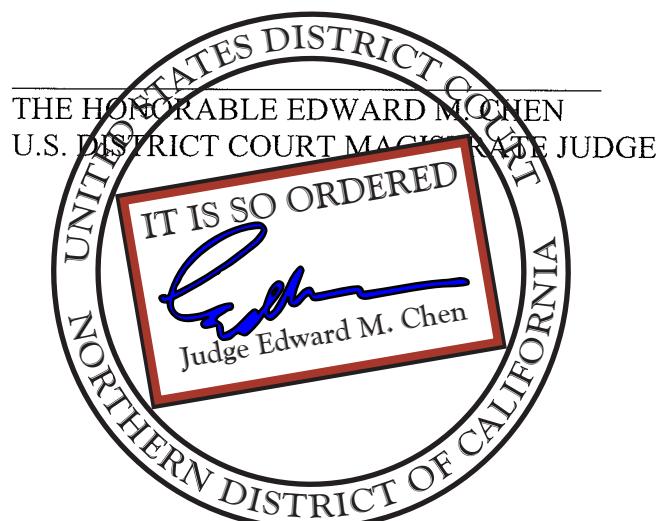
10 Attorneys for Defendants, Anhelo, LLC and
11 Cerralvo, LLC

12 **ORDER**
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14 Pursuant to the above stipulation, and for good cause appearing to the Court, it is hereby
15 ordered that all claims in the above-captioned litigation shall be, and hereby is, dismissed with
16 prejudice. Each party shall bear its own costs and attorney fees incurred in connection with this
17 litigation. The Court notes that the parties have entered into a confidential Settlement and Release
18 Agreement executed and effective December 5, 2008 and this Agreement serves as the basis for
19 dismissal of this litigation. This Court shall retain jurisdiction over the Settlement and Release
20 Agreement executed by the Parties as the exclusive venue for resolution of any dispute(s) arising
21 out of or related to such agreement.
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23 **IT IS SO ORDERED**
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25 Dated: December 17, 2008
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4 **CERTIFICATE OF SERVICE**

5 I hereby certify that on December , 2008, a copy of the foregoing Stipulation of Dismissal
6 and Proposed Order was filed electronically. Notice of this filing will be sent by operation of the
7 Court's electronic filing system to all parties indicated on the electronic filing receipt. All other
8 parties will be served by regular U.S. Mail. Parties may access this filing through the Court's
9 system.

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